

MINUTES  
HAMILTON COUNTY BOARD OF COMMISSIONERS  
Commissioners Courtroom  
Hamilton County Government and Judicial Center  
One Hamilton County Square, Noblesville, Indiana  
DECEMBER 22, 2008

The Commissioners met in Executive Session in Conference Room 1A at 10:00 a.m. President Altman called the public session to order at 10:15 p.m. and declared a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. The Pledge of Allegiance was led by Jim Neal.

**Executive Session Memoranda**

Dillinger moved to approve the Executive Session Memoranda of December 22, 2008. Holt seconded. Motion carried unanimously.

**Highway Business**

Timber Bridge Annual Bid

Mr. Brad Davis stated American Timber Bridge have proposed to extend their current (2008) annual material bid through calendar year 2009. Davis recommended renewing the agreement. Altman asked Mike Howard if there is an issue with renewing a public bid? Howard stated they are the only company that offers these materials. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

Potential Stimulus Bill Projects

Davis requested approval of a list of potential stimulus bill projects that could be under consideration if President Elect Obama proceeds with an infrastructure related economic stimulus bill. Dillinger moved to approve. Holt seconded. Motion carried unanimously. Holt asked about the replacement of stolen track? Davis stated it was placed on the list by the Hoosier Heritage Port Authority (HHPA). Holt recommended removing the word stolen and list it as replace track. Commissioners agreed to change.

96<sup>th</sup> Street Interlocal Agreement

Davis attended an Indianapolis Department of Public Works (DPW) Committee meeting regarding the 96<sup>th</sup> Street Interlocal Agreement. The agreement will be sent on to the full City County Council meeting of January 12, 2009 and is not expected to have any problems.

Naming of SR 238

Davis met with representative from the Town of Fishers and INDOT (Indiana Department of Transportation) to discuss the naming of SR 238, once it is relinquished. Davis recommends leaving it Greenfield Avenue, which it is commonly called on all of the county maps. Fishers is non-committal. The group agreed that whatever this section of SR 238 is named both Hamilton County and the Town of Fishers will agree to the name so it is continuous for the entire section. INDOT has requested a letter from both entities with a recommendation. Commissioners recommended Mr. Davis send a letter to Fishers stating the county proposes the road remain Greenfield Avenue for economy of changing addresses, maps, etc. Davis stated the road will be relinquished to the County and Fishers has asked for a copy of the relinquishment agreement. Fishers thinks State law supersedes the relinquishment agreement. Davis stated on the other side of the interstate he recommends a dual name for the interstate signage of Campus Parkway and 146<sup>th</sup> Street or Campus Parkway to 146<sup>th</sup> Street; he has not discussed this with Noblesville. Howard stated the local maps show it as Campus Parkway because there already is a 146<sup>th</sup> Street running along Verizon Wireless Center.

[10:25:39]

**Insurance Renewals**

Mr. Doug Walker presented an overview of the 2009 Insurance Renewals. Rates are down but exposures have increased. Insurance Committee recommended the following:

- Currently there is a \$50,000 SIR (Self Insured Retention) the county takes on the first \$50,000 on all losses, the recommendation is to increase the SIR to \$75,000 for 2009 with the ultimate goal to get it to \$100,000. Altman asked how many years did they look back? Walker stated five years. Altman asked how many exposures over \$50,000 have we had over those five years? Walker stated one or two. Altman asked how much do we save a year in premiums? Walker stated \$51,000. Dillinger moved to approve the move to \$75,000. Holt seconded. Motion carried unanimously.
- Bridge Insurance – for \$43 million coverage, with \$20 million for earthquake, will cost \$41,000. It does not include flood damage. It would only cover earthquake, if the bridge was damaged or blown up. Howard confirmed with Walker that according to the Bonds the bridges that are under lease, they are to be insured? Walker stated yes, they want to have the bridges fully insured. Holt asked if terrorism is covered? Walker stated yes. Holt stated the bridges are built to withstand flood, it is not built to withstand earthquake, terrorism or an oversize load. Dillinger moved to deny the increase. Altman asked to have it tabled. Dillinger seconded the tabling motion. Motion carried unanimously.
- Earthquake and Flood – currently there is \$11 million of earthquake and flood coverage; the recommendation is to buy an additional \$25 million for \$25,000 or an additional for \$50 million for \$35,000. Altman moved to table until the Christopher Burke study comes back with modeling, which will tell us about flooding. Holt asked what other entities are doing? Walker stated other entities are looking at coverage after what happened in southern Indiana. Holt asked what about terrorism? Walker stated this is a year to year decision, of the municipalities he works with he only has one who rejects it. Terrorism coverage now includes domestic terrorism. Holt moved to amend the motion to table for 45 days. Dillinger seconded. Motion carried unanimously.
- Environmental Impact Coverage – this discussion started based on the collection of hazardous materials at the Household Hazardous Waste Center even though we don't dispose of the materials on site. If there were a fire, pollution issues, etc. The coverage will cover all county facilities. There are two underground tanks at the airport that would be excluded, but the above ground tanks are covered. The only reason they excluded from the coverage is because we are not sure if it is covered by the Field Based Operator's (FBO). Kim Rauch will check on the coverage. Dillinger moved to accept this amendment. Holt seconded. Motion carried unanimously.

MINUTES  
HAMILTON COUNTY BOARD OF COMMISSIONERS  
Commissioners Courtroom  
Hamilton County Government and Judicial Center  
One Hamilton County Square, Noblesville, Indiana  
DECEMBER 22, 2008

Dillinger moved to accept the bid package on the insurance. Holt seconded. Motion carried unanimously.

Collision Procedures

Holt moved to approve the collision procedures on repairs to county vehicles. Dillinger seconded. Altman asked if there are any vehicles that are less than \$5,000 in value that could be damaged? Walker stated if the estimate is over \$3,500 then an adjuster has to look at it and they will determine the vehicle is only worth \$5,000 and they will say not to repair it. Holt suggested adding the language in the second sentence “so long as it is not totaled”, if it was a 17 year old pick-up truck with over \$3,500 of damage it would be totaled. Walker suggested adding the language “as long as the damage does not exceed the value of the car”. Dillinger moved to accept the amendment. Holt seconded. Motion carried unanimously.

- County vehicles that are damaged in a collision should be taken to an approved body shop for repair. If the damage is under \$3,500 the vehicle is to be repaired with just the body shops’ estimate as long as there are no “open items” on the estimate. The estimate and the details of the accident should be sent to ASC for processing and payment.
- If the damage is greater than \$3,500 or if the additional damage is greater than \$5,000 and as long as the damage does not exceed the value of the car, the vehicle needs to be appraised by an approved insurance adjuster.
- It also should be noted that any funds generated from any vehicle salvage should be returned to the general fund.

**Election for Exemption**

Ms. Sheena Randall requested approval of the Election of Exemption for the HIPPA Opt Out. No changes have been made. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

**Health Fair Report**

Randall stated she did receive the report from Riverview Hospital on the Health Fair. Meritain will be making a brief presentation at today’s employee training session about wellness.

**Aerobics Class**

Randall requested permission to hold an aerobics class in the Judicial Center for county employees after January 1, 2009. Altman asked if the county pays for that or the employees? Randall stated the employees pay for it. The cost is \$5.00 per person per class. Holt suggested the county pay the costs as a wellness benefit to the employees. Holt asked Randall to negotiate a lump sum agreement.

Randall requested permission to allow Eddie Moore to teach a self-defense class for the employees at no cost. Altman so moved. Holt seconded. Motion carried unanimously.

**Noblesville Parks Department Newsletter**

Randall stated the Noblesville Parks Department sends out a newsletter and she requested permission to put a copy of the newsletter in the employee’s payroll checks. They allow non-residents of Noblesville to participate in their activities. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

**Prescription Providers**

Altman stated she and Ms. Randall have met with Meritain and the prescription providers. Altman has asked them to look at the possibility of negotiating discounts for three month prescriptions locally.

**On Site Clinic**

Altman stated the Town of Fishers is looking at on site health clinic for their employees; she presumes it is a cost savings and recommended the county investigate it. We will have a facility available for this purpose when the Health Department moves out. The Insurance Committee will investigate.

**Attorney**

Acceptance of Letter of Credit – Drainage Board

Howard requested acceptance of a Letter of Credit No. S313125, Amendment No. 2 from Key Bank for drainage improvements for Towne East Development. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

Buildings and Grounds Director’s Resignation

Howard stated Scott Warner tendered his resignation as Buildings and Grounds Director to be effective December 31, 2008. Howard recommended accepting the Letter of Resignation and he be continued on Paid Leave of Absence through December 31, 2008. Dillinger moved to approve. Holt seconded. Motion carried unanimously.

Howard stated the County Council has approved the Form 144 for the interim Buildings and Grounds Director (Stephen Wood) to go to Mr. Warner’s previous pay grade effective December 15, 2008. Howard recommended the appointment be made retroactive to that date. Holt so moved. Dillinger seconded. Motion carried unanimously.

Resolution 12-22-08-1, Nickel Plate Railroad Line

Howard requested approval of Resolution 12-22-08-1 Authorizing Execution of Conveyance Documents in Connection with the Sale of Real Estate. This transaction pertains to the old Nickel Plate railroad right of way spur that came from the old Norfolk and Western Railroad Line from Noblesville to the Riverwood Power Plant. In 2002 Cinergy approached the City of Noblesville, Town of Fishers and the HHPA (Hoosier Heritage Port Authority) concerning an

MINUTES  
HAMILTON COUNTY BOARD OF COMMISSIONERS  
Commissioners Courtroom  
Hamilton County Government and Judicial Center  
One Hamilton County Square, Noblesville, Indiana  
DECEMBER 22, 2008

easement to install a gas line. Cinergy also agreed to an option to purchase that right of way through Quit Claim Deed for \$75,000. The HHPA prepared a Notice to Bidders on the sale and had the property appraised, which was \$133,000. This resolution will allow the completion of the transaction. Howard also requested signature on the Quit Claim Deeds by the Commissioners. Duke Energy would like to close this transaction by the end of the year. Dillinger asked if the county has the right to not approve this resolution and sale? Altman stated she is concerned about this because this supposedly was a done deal and they did not need the county's signature. Altman stated she pointed out that the county is on the Title and they did need our signature. Dillinger stated he does not want to do this. Altman stated she has reviewed everything, it is a binding contract entered into before the county was on the Title. She spoke with the plant manager about how it was constructed and seismically you can not run a train over it anymore because of the way it was constructed. Howard stated the initial plan was to put a recreational train to visit the power station and the cost of the line for 3,800 feet with a cost of \$1 million per mile. The Transportation Museum was going to have that done with volunteers. The Museum can barely keep their doors open let alone fund an extension of this cost. The gas line is going to be carry 800 pounds per square inch, the train would be going over the gas line. The feasibility of driving a train over that power line was absurd in 2002 and is still absurd. Altman stated this could have been accomplished with an easement next to it and it was not particularly a good deal. Dillinger stated he did not think they were lobbying for a train but for park land. Altman stated in the purchase agreement if there is reasonable use for a trail, we can still use it for a trail but we don't know if that has been accepted in the conveyance documents. Holt agrees with Dillinger, it was poorly conceived. The recreational value to the citizens of Hamilton County exceeds \$133,000. To have a spur that runs from SR 19 to White River that will be trails north and south for people from Noblesville Township and Jackson Township is huge. Altman asked Howard to look at the purchase agreement. Howard stated that language is not in the Deed or in the Resolution. Holt moved to not execute a consent or deed until we have resolved the recreational issues for right of way. Dillinger seconded. Motion carried unanimously. Dillinger asked what is the hurry? Altman stated Duke Energy wants this done by the end of the year. Altman stated she had heard the HHPA was going to approve it and she interceded so she could review the documents. Altman thinks this is a binding contract and Duke can sue the HHPA if we don't close. We are bound to sign off on it but we also need to preserve the trail rights. Howard stated this will not close by the end of the year due to the needed negotiations. Altman stated the other item to be resolved is the money from Duke, does it go back to the county (one third) or do we retain it to make sure the track is repaired? Her opinion would be to keep it at the HHPA and direct that it be reinstalled in the existing track. Holt stated he does not care about the money but the recreational benefit is priceless. Altman agreed and she presumed the documents would have that reservation in them.

Olio Road Bridge over I-69

Howard stated we are in the place in land acquisition on the Olio Road Bridge over I-69 project and financing needs to move forward. The financing source is the Major Bridge Fund and more than enough money is coming in. The design is being funded by cash. Noblesville is responsible for acquiring land on the north side. Howard stated he needs to appoint Bond Counsel for this project. Currently Ice Miller is working with us on the 96<sup>th</sup> Street/421 TIF District. Altman moved to appoint Ice Miller. Holt moved to use Kreig Devault. Dillinger seconded. Dillinger and Holt approved. Altman abstained. Motion carried.

Petition to Reconstruct Part of E.E. Bennett Drain

Howard requested approval of the Petition to the Hamilton County Drainage Board to Reconstruct part of the E.E. Bennett Drain. Holt moved to approve the Petition to reconstruct the Bennett Drain. Dillinger seconded. Motion carried unanimously. [11:14:02] Holt moved to authorize the President's signature. Dillinger seconded. Motion carried unanimously.

[11:08:53]

**Administrative Assistant**

Insurance Consulting Agreement – Fearrin Insurance Agency

Dillinger moved to renew the Insurance Consulting Agreement with Fearrin Insurance Agency. Holt seconded. Motion carried unanimously.

Carmel Library Wage Determination Committee Appointment

Dillinger moved to appoint Jane Merrill to the Carmel Library Wage Determination Committee. Holt seconded. Motion carried unanimously.

4-H Fairgrounds Work Session

John Barbee of Envoy has asked if the Commissioners would like a work session to discuss the 4-H Fairgrounds at their January 12, 2009 meeting. Commissioners agreed to hold the work session after the meeting.

[11:11:58]

**Auditor**

Buildings and Grounds Maintenance Contracts

Ms. Robin Mills requested approval of the Buildings and Grounds Maintenance Contract Renewals tabled December 8, 2008. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

- Electrical Equipment Company
- Grunau Company
- Precision Control Systems
- Red Hawk Security Systems
- SimplexGrinnell

MINUTES  
HAMILTON COUNTY BOARD OF COMMISSIONERS  
Commissioners Courtroom  
Hamilton County Government and Judicial Center  
One Hamilton County Square, Noblesville, Indiana  
DECEMBER 22, 2008

Fixed Asset Notification Form

Mills requested approval of Fixed Asset Notification Form from the Sheriff’s Department. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

Liability Trust Claim

Mills requested approval of a Liability Trust Claim payable to Walker & Associates in the amount of \$1,326.00 for a Worker’s Compensation Audit. Holt moved to approve. Dillinger seconded. Motion carried unanimously.

Treasurer’s and Clerk’s Monthly Reports

Dillinger moved to accept the monthly reports of the County Treasurer and Clerk of the Circuit Court dated November 30, 2008. Holt seconded. Motion carried unanimously.

Payroll Claims

Dillinger moved to approve the Payroll Claims for the period of November 17-30, 2008 paid December 12, 2008 and November 31-December 14, 2008 paid December 24, 2008. Holt seconded. Motion carried unanimously.

Vendor Claims

Dillinger moved to approve the Vendor Claims to be paid December 23, 2008. Holt seconded. Motion carried unanimously.

Ms. Robin Mills thanked the Commissioners for the past eight years and stated it has been an honor to serve with them.

Dillinger moved to adjourn. Holt seconded. Motion carried unanimously.

**Commissioners Correspondence**

- Low Cost Spay Neuter Clinic Statistical Report
- Notice of Public Hearing
  - Abuelo’s – Carmel/Clay Advisory Board of Zoning Appeals
- IDEM Notice of Public Comment
  - Duke Energy – Noblesville Generating Station
- IDEM Notification of Application Receipt
  - Noblesville Landfill

**Present**

- Christine Altman, Commissioner
- Steven C. Dillinger, Commissioner
- Steven A. Holt, Commissioner
- Robin M. Mills, Auditor
- Fred Swift, Administrative Assistant to Commissioners
- Kim Rauch, Administrative Assistant to Auditor
- Michael Howard, Attorney
- Doug Carter, Sheriff
- Brad Davis, Highway Director
- Jim Neal, County Highway Engineer
- David Foster, Hamilton County Leadership Academy
- Doug Walker, Walker & Associates
- Don Dickerson, Burnham & Flower
- Sheena Randall, Human Resources Director
- Steve Wood, Buildings and Grounds Director
- Clint Sparks, American Structurepoint

APPROVED  
HAMILTON COUNTY BOARD OF COMMISSIONERS  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
ATTEST  
  
\_\_\_\_\_  
Dawn Coverdale, Auditor

MINUTES  
HAMILTON COUNTY BOARD OF COMMISSIONERS  
Commissioners Courtroom  
Hamilton County Government and Judicial Center  
One Hamilton County Square, Noblesville, Indiana  
DECEMBER 22, 2008

INDEX

<i>4</i>		<i>I</i>	
4-H Fairgrounds Work Session .....	287	IDEM Notice of Public Comment .....	288, 314-315
<i>9</i>		IDEM Notification of Application Receipt .....	288, 315-
96 <sup>th</sup> Street Interlocal Agreement.....	285	Insurance Consulting Agreement – Fearrin Insurance Agency.....	287, 304-305
<i>A</i>		Insurance Renewals .....	285, 289-298
Abuelo’s – Carmel/Clay Advisory Board of Zoning Appeals....	288	<i>L</i>	
Acceptance of Letter of Credit – Drainage Board.....	286, 299-301	Liability Trust Claim.....	288, 312
Administrative Assistant .....	287	Low Cost Spay Neuter Clinic Statistical Report.....	288, 314
Aerobics .....	286	<i>N</i>	
Attorney .....	286	Naming of SR 238 .....	285
Auditor.....	287	Noblesville Landfill .....	288
<i>B</i>		Noblesville Parks Department Newsletter.....	286
Buildings and Grounds Director’s Resignation .....	286, 302	Notice of Public Hearing.....	288
Buildings and Grounds Maintenance Contracts.....	287, 305-309	<i>O</i>	
<i>C</i>		Olio Road Bridge over I-69.....	287
Carmel Library Wage Determination Committee Appointment.	287	On Site Clinic .....	286
Collision Procedures .....	286, 298	<i>P</i>	
Commissioners Correspondence.....	288	Payroll Claims .....	288
<i>D</i>		Petition to Reconstruct Part of E.E. Bennett Drain .....	287
Duke Energy – Noblesville Generating Station.....	288	Potential Stimulus Bill Projects .....	285, 289
<i>E</i>		Prescription Providers .....	286
Election for Exemption - Employee Benefit Plan.....	286, 298-299	<i>R</i>	
Executive Session Memoranda.....	285, 289	Resolution 12-22-08-1, Nickel Plate Railroad Line ....	286, 302-303
<i>F</i>		<i>T</i>	
Fixed Asset Notification Form .....	288, 309-310	Timber Bridge Annual Bid.....	285, 289
<i>H</i>		Treasurer’s and Clerk’s Monthly Reports .....	288, 313
Health Fair Report .....	286	<i>V</i>	
Highway Business .....	285	Vendor Claims.....	288